

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KRZYSZTOF LUKASZUK, et al.,

Plaintiffs,

- against -

ORDER

CV 2002-5143 (JG)(MDG)

MOTILLA L. SUDEEN, also know as MOTI
SUDEEN, et al.,

Defendants.

- - - - -X

Defendant Motilla Sudeen has moved for an extension of time to respond to the complaint. Ct. doc. 30. His request for an extension of time to 30 days after his receipt of discovery responses is denied, but his time to answer or otherwise respond to the complaint is further extended to February 23, 2007. He is advised that defendants ordinarily answer a complaint without the benefit of discovery. Rule 8(b) of the Federal Rules of Civil Procedure provides that "[i]f a party is without knowledge or information sufficient to form a belief as to the truth of an averment, the party shall so state and this has the effect of a denial." Instead of answering a complaint, a defendant may, at his option, make a motion on one of the grounds described in Rule 12(b). This Court will send defendant Sudeen copies of Rules 8, 9 and 12 of the Federal Rules which concerning pleadings, answers and motions in lieu of answers.

SO ORDERED.

Dated: Brooklyn, New York
January 29, 2007

/s/ MARILYN D. GO
UNITED STATES MAGISTRATE JUDGE